



ZONING BOARD OF APPEALS MEETING MINUTES

November 12, 2025 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

Phone: 845-354-0400 | Fax: 845-354-4097

CALL TO ORDER

Chairman Gewirtz opened the meeting at 7:35pm.

Chairman Gewirtz introduces Ethan Halpert as a new Zoning Board Member.

ROLL CALL

MEMBERS PRESENT: Chairman Jonathan Gewirtz
Member Randi Marlin
Member Stefanie Collantes
Member Barry Rozenberg
Member Stuart Zelmanovitz
Ad Hoc Anita Hajioff
Ad Hoc 2nd Ethan Halpert

ABSENT: None

OTHERS PRESENT: Doris Ulman, Assistant Village Attorney
Camille Guido-Downey, Village Clerk
Stephanie Caputo, Secretary to the Planning and Zoning Boards

CONTINUED PUBLIC HEARING

1. The Application submitted by Eliyahu Feig for variances from the provisions of Section 230-17 Attachment I and Section 230-14L(3) and (4) of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence, inground swimming pool and cabana having impervious surface ratio of .273 instead of the maximum permitted of .20, front yard impervious surface ratio of .167 instead of the maximum permitted of .15, building coverage of .111 instead of the maximum permitted of .106, rear yard for the cabana of 23.5 feet instead of the minimum required of 50 feet and side yard of 1.5 feet for the wall instead of the minimum required of 7.9 feet.

The subject premises are situated on the north side of Maurice Lane approximately 251 feet west of Steinway Court, known as 5 Maurice Lane, designated on the Tax Map as Section 32.18 Block 1 Lot 5, in an R-50 Zoning District.

Chairman Gewirtz read the Public Hearing Notice into the record.

Stanley Mayerfeld, Applicant's Architect, was present via zoom and affirmed to tell the truth. Mr. Mayerfeld stated that the accessory structure has been reduced to 100 sq feet and no longer requires a rear-yard variance. Mr. Mayerfeld stated that they will be using pavers for a decrease in impervious service.

Chairman Gewirtz questioned the screening and tree plan for the property.

Benny Silber, Silber Construction was present and affirmed to tell the truth. Mr. Silber stated that the Applicant is working with a landscape architect and will submit a plan as soon as possible.

Chairman Gewirtz questioned if anyone from the public would like to speak:

Ilan Schoenberger, 1 Belmar Court, was present and affirmed to tell the truth. Mr. Schoenberger questioned how far away the structure would be from his property line and whether there would be any screening for privacy.

Mr. Mayerfeld answered that the structure would be 24 feet from the property line.

Mr. Silber answered that a screening of evergreen trees will be placed around the pool and cabana for privacy.

Chairman Gewirtz questioned whether the retaining wall had drains built in.

Mr. Silber answered that they have several dry wells on the property that will help with drainage.

Stuart Zelmanovitz made a motion to close the Public Hearing, seconded by Stefanie Collantes. Upon vote, this motion was carried unanimously.

Chairman Gewirtz discussed the unique shape of the property, being that it's on a cul-de-sac. The area alongside the pool drops off by 25 feet.

Mr. Rozenberg questioned how close the retaining walls are to the property line and the pool looks larger.

Mr. Silber stated that the pool was being proposed 2 feet bigger, and the retaining walls need 4 feet in between them for the drainage.

Chairman Gewirtz questioned if the numbers that appear on the plan are correct.

Mr. Mayerfeld stated that the numbers are correct?

Chairman Gewirtz questioned if the GML letters have been received and if the Applicant is complying

with the letters.

Mr. Mayerfeld answered that, yes, they would comply.

Ms. Ulman noted that there are no overrides needed for the County GML.

Stuart Zelmanovitz made a motion to approve the Application, contingent on adequate screening and maintenance of the trees, seconded by Stefanie Collantes.

4 votes approved - Chairman Gewirtz, Member Stefanie Collantes, Member Barry Rozenberg and Member Stuart Zelmanovitz.

1 vote abstinence - Member Randi Marlin.

**In the Matter of the Application of
Eliyahu Feig
Premises situated on the north side of Maurice
Lane approximately 251 feet west of Steinway
Court, known as 5 Maurice Lane, designated on
the Tax Map as Section 32.18 Block 1 Lot 5, in an
R-50 Zoning District;**

WHEREAS, Application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Eliyahu Feig for variances from the provisions of Section 230-17 Attachment I and Section 230-14L(3) and (4) of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence, inground swimming pool and cabana having impervious surface ratio of .273 instead of the maximum permitted of .20, front yard impervious surface ration of .167 instead of the maximum permitted of .15, building coverage of .111 instead of the maximum permitted of .106, rear yard for the cabana of 23.5 feet instead of the minimum required of 50 feet and side yard of 1.5 feet for the wall instead of the minimum required of 7.9 feet, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on September 17, 2025, which was continued on October 29, 2025, and November 12, 2025, and

WHEREAS, the applicant appeared in person and by his architect and contractor, and testified as follows:

That the lot is a peculiar shape and has a sharp drop-off on the side and rear of the property;

That the retaining wall surrounds the property and is the reason for the side yard variance;

That the only feasible location for the pool is behind the house in front of the drop-off and this limits the placement of the cabana as well;

That the applicant intends to install evergreen trees to screen the pool and cabana; and

WHEREAS, the neighbor to the rear of the property appeared and stated that the cabana is too close to his property and affects his privacy; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the rear and side

drop-offs of the property and the proposed location of the pool and cabana ; and

WHEREAS, after discussion with the neighbor, the applicant reduced the size of the cabana to 100 square feet so that the rear yard variance is no longer needed, and he will add pervious pavers so that the impervious surface ratio is now reduced to .232

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the applicant's request to amend the application by eliminating the request for a rear yard variance for the cabana and reducing the request for an impervious surface ratio variance .273 to .232 is hereby granted, and be it further

RESOLVED, that the application submitted by Eliyahu Feig for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a single-family residence, inground swimming pool and cabana having impervious surface ratio of .232 instead of the maximum permitted of .20, front yard impervious surface ratio of .167 instead of the maximum permitted of .15, building coverage of .111 instead of the maximum permitted of .106 and side-yard of 1.5 feet for the wall instead of the minimum required of 7.9 feet is hereby granted, subject to the following conditions:

1. That the applicant complies with the GML review letter from Rockland County Planning Department and with all GML review Letters;
2. That the applicant submit a landscaping plan consisting of the installation of 8-foot-tall evergreen trees to screen the structures from the side and rear neighboring properties, said plan to be subject to approval by the Village Engineer and said screening to be maintained on a continuing basis, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the Zoning Board of Appeals appreciates the applicant's reconfiguration of the plan in response to the neighbor's concerns and to reduce the size and number of variances requested;
 2. That the variances granted are not substantial in relation to the requirement except for the side-yard variance for the wall and that the variances are required due to the severe drop-off of the property, requiring the installation of the retaining wall;
 3. That no detriment to the environment or the ecology has been identified;
 4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to neighboring properties or to the community has been identified.
2. The Application submitted by Alan and Debra Rosenstock Legacy Trust for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having building coverage of .138 instead of the maximum permitted of .1256 and total side yard of 53.8 feet instead of the minimum required of 60 feet.

The subject premises are situated on the west side of Laura Lane north of Charlotte Drive, known as 3 Laura Lane, designated on the Tax Map as Section 41.08 Block 2 Lot 25, in an R-35 Zoning District.

Chairman Gewirtz read the Public Hearing Notice into the record.

Chairman Gewirtz read the following letters of support into the record:

Israel Dahan, 20 Charlotte Drive, is in support of the Application.

Gershon Mack, 1 Laura Lane, is in support of the Application.

Seth Kurtz, 12 Deerwood Road, is in support of the Application.

David Schuster, 5 Laura Lane, is in support of the Application.

Esther Walters, the Applicant's representative, was present and affirmed to tell the truth. Ms. Walters stated they are requesting a variance of 33.8 feet for the total side yard and a variance of .136 for the Building Coverage.

Chairman Gewirtz stated that at the site visit he had trouble seeing what the maximum building coverage would be, being that the addition staked out didn't seem that large. Mr. Gewirtz stated that there was a discussion about the height of the deck.

Ms. Walters stated that the deck would not be higher than 3 feet as shown on the plan.

Chairman Gewirtz questioned if the deck was calculated in the Building Coverage number on the plan, and what would the calculation be without the deck in the Building Coverage.

Ms. Walters stated that she would get the calculations.

Chairman Gewirtz stated that this is an average density lot created by Ramapo and the total sideyard set by Ramapo is 40 feet not 60 feet.

Chairman Gewirtz asked if anyone from the public would like to speak.

Michael Sussholz, 28 Charlotte Drive, was present and affirmed to tell the truth. Mr. Sussholz is in support of the Application.

Stefan Greenbaum, 33 Charlotte Drive, was present and affirmed to tell the truth. Mr. Greenbaum is in support of the Application.

Barry Rozenberg questioned the need for the outdoor stairwell. The stairwell is only 22.5 feet from the side lot line and this and this creates a large variance.

Debra Rosenstock, 3 Laura Lane, was present and affirmed to tell the truth. Mrs. Rosenstock stated that fire scares her and feels safer with a second means of egress from the basement compared to the narrow ladder.

Stefanie Collantes made a motion to close the public hearing, seconded by Randi Marlin.

Upon vote, this motion carried unanimously.

Chairman Gewirtz makes a motion to adjourn to the December 29, 2025, meeting for a decision on the Building Coverage, so the applicant can determine if the variance is needed, seconded by Stefanie Collantes.

Chairman Gewirtz stated that the side yard is a small variance and the proposed stairwell is a safer egress. Chairman Gerwitz made a motion to grant the side yard variance of 33.8, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

**In the Matter of the Application of
Alan and Debra Rosenstock Legacy Trust
Premises situated on the west side of Laura Lane
north of Charlotte Drive, known as 3 Laura Lane,
designated on the Tax Map as Section 41.08 Block 2
Lot25, in an R-35 Zoning District**

WHEREAS, Application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Alan and Debra Rosenstock Legacy Trust for variances from the provisions of Section 230-17 Attachment I of the Code for the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having Building Coverage of .138 instead if the maximum permitted of .1256 and total side yard of 53.8 feet instead of the minimum required of 60 feet, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on October 29, 2025, which was continued on November 12, 2025, and

WHEREAS, the applicant appeared by its principles and by its architect, and testified as follows:

That this is an average density lot and the total square footage is only 29,138 square feet;

That the total side yard variance is the result of an outdoor stairway leading from the basement of the house and is the only outside exit from the basement;

That applicant's principal testified that her grandchildren use the basement when they visit and the outdoor stairway is in the nature of a fire exit as there is no other exit leading from the basement directly to the outside other than a window.

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the placement of the addition and the outdoor stairway; and

WHEREAS, the Chairman of the Zoning Board of Appeals stated that the building coverage variance could be reduced or even eliminated if the new deck is built lower to the ground than 3 feet; and

WHEREAS, the Zoning Board of Appeals takes judicial notice of the fact, during the subdivision process, Ramapo established setbacks of 20 feet on each side so that the total side setback requirement is 40 feet for this lot instead of the Wesley Hills requirement of 60 feet;and

WHEREAS, several letters were received in support of the application and no one appeared in opposition;

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Alan and Debra Rosenstock Legacy Trust for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of an addition to a single family residence having a total side yard of 33.8 feet instead of the minimum required of 40 feet is hereby approved, and be it further

RESOLVED, that the Zonig Board of Appeals hereby makes the following Findings of Facts:

1. That the outdoor stairway from the basement of the residence is for safety reasons and justifies the variance;
2. That the stairway is not visible from the neighboring properties and will not be a detriment to adjacent properties or to the neighborhood;
3. That there is no feasible alternative to the requested variance;
4. That the benefit to the applicant is substantial, whereas no detriment to neighboring properties or to the community has been identified.

3. The Application submitted by Nancy Rubin on behalf of Abraham Spira for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence, inground swimming pool and cabana having building coverage of .1228 instead of the maximum permitted of .10 and the variance previously granted of .113, impervious surface ratio of .29 instead of the maximum permitted of .25, side yard of 22 feet for the cabana instead of the minimum required of 25 feet, total side yard of 46.6 feet instead on the minimum required 60 feet and rear yard of 7.0 feet for the inground swimming pool instead of the minimum required of 15 feet.

The subject premises are situated on the east side of Charlotte Drive, approximately 1,200 feet west of Deerwood Road, known as 4 Charlotte Drive, designated on the Tax Map as Section 41.08 Block 1 Lot 35, in an R-35 Zoning District.

Chairman Gewirtz read the Public Hearing Notice into the record:

Chairman Gewirtz read into the record an email dated November 10, 2025, requesting an adjournment sent by Jerry Steinfeld.

Chairman Gewirtz made a motion to adjourn this application to the meeting of December

29, 2025, seconded by Stefanie Collantes. Upon vote, this vote was carried unanimously.

4. The Application submitted by Sam Yurowitz for variances from the provisions of Section 230-17 Attachment I and Section 230-34D(2) and (4) of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence and driveway having building coverage of .135 instead of the maximum permitted of .10 and the variance previously granted of .127, front yard impervious surface ratio of .26 instead of the maximum permitted of .20, driveway width of 25 feet instead of the maximum permitted of 12 feet and driveway gradient of 4.23% in the first 20 feet from the curb instead of the maximum permitted of 3%.

The subject premises are situated on the north side of Glenbrook Road approximately 100 feet east of Moccasin Place, known as 21 Glenbrook Road, designated on the Tax Map as Section 41.11 Block 1 Lot 64, in an R-35 Zoning District.

Chairman Gewirtz read the Public Hearing Notice into the record:

Sam Yurowitz, 21 Glenbrook Drive, was present and affirmed to tell the truth. Mr. Yurowitz stated he was here last month to get approval for a variance. Mr. Yurowitz wanted to have room for 2 cars and enough room for his family to enter the residence and to bring the trash cans back and forth without scratching the cars.

Chairman Gewirtz stated that the 25-foot driveway is a large variance which leads to an increase of the impervious surface in the front yard. Chairman Gewirtz would like the Board members who attended the site visit for their opinions.

Stefanie Collantes stated she does not understand the need for a driveway that large.

Barry Rozenberg stated that the driveway is excessive.

Chairman Gewirtz read the following letters of support into the record:

Dov and Mindy Reifew, 23 Glenbrook Road, are in support of this Application.
Michael and Dasya Katz, 20 Glenbrook Road, are in support of this Application.
Phillip and Esti Rausman, 15 Glenbrook Road, are in support of this Application.
Robert and Rachel Rausman, 22 Amsterdam Ave, are in support of this Application.
Meir and Yocheved Friedman, 29 Glenbrook Road, are in support of this Application.
Ushi and Shaindy Edelstein, 17 Glenbrook Road, are in support of this Application.

Sholly Yurowitz, 21 Glenbrook Road, was present and affirmed to tell the truth. Mrs. Yurowitz stated that they get compliments on how modest their house looks.

Mr. Yurowitz stated that he has seen other homes in the Village that have driveways the same size. Mr. Yurowitz stated he has put in a lot of work into the landscaping around the driveway and the front of the house, and that it would cost him a lot of money to make changes or remove part of the driveway.

Chairman Gewirtz stated the Board does take into consideration the hardship that the homeowner faces, but being that this is a significant variance request, there is not enough to support the need for a driveway that large. Mr. Gewirtz stated that they can not approve this variance, and he would like the owners to speak to the Contractor and the Village Engineer to minimize the variance as much as possible.

Chairman Gewirtz made a motion to adjourn this application to the December 29, 2025, meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

APPROVAL OF MINUTES

August 13, 2025

Chairman Gewirtz made a motion to approve the Zoning Board of Appeals Minutes of August 13, 2025, seconded by Stefanie Collantes, subject to a change made on page 2. Upon vote, this motion carried unanimously.

ADJOURNMENT

Chairman Gewirtz made a motion to adjourn the meeting, seconded by Stuart Zelmanovitz. Upon vote, this motion carried unanimously.

Respectfully submitted,

Stephanie Caputo